

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2160

ABDIGANI HASSAN ALAS,

Petitioner,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A76-418-520)

Submitted: March 30, 2005

Decided: May 10, 2005

Before WILKINSON and LUTTIG, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

Abdigani Hassan Alas, Petitioner Pro Se. Michele Yvette Francis Sarko, Victor Matthew Lawrence, Michelle Elizabeth Gorden, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Abdigani Hassan Alas, a native and citizen of Somalia, petitions for review of an order of the Board of Immigration Appeals affirming without opinion the Immigration Judge's denial of his applications for asylum, withholding of removal, and protection under the Convention Against Torture. Alas challenges the finding that he failed to meet his burden of proof to qualify for asylum.

To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We have reviewed the evidence of record and conclude that Alas fails to show that the evidence compels a contrary result. Having failed to qualify for asylum, Alas cannot meet the higher standard to qualify for withholding of removal. Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999); INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987).

Accordingly, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED